

IN RE: PETITION FOR SPECIAL HEARING  
N/S Williams Road, 2140' NW  
of the c/l of Bottom Road  
(5720 & 5724 Williams Road)  
11th Election District  
6th Councilmanic District  
Howard J. Kline, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-261-SPH  
\*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, Howard J. and Joan R. Kline. The Petitioners request approval of a non-density transfer of the subject property, zoned R.C. 2, in accordance with Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Howard J. Kline, property owner, Lloyd E. Lipin, the Registered Professional Engineer who prepared the site plan of the property, and Lorne Hastings. The Petitioners were represented by Bruce E. Kauffman, Esquire. There were no Protestants at the hearing.

Testimony indicated that the subject property, known as 5720 and 5724 Williams Road, consists of two vacant parcels of land totalling 8.327 acres, more or less, zoned R.C.2. The Petitioners are desirous of readjusting the lot lines to create two parcels of approximately equal size. Currently, Parcel 1 contains 1.6 acres, more or less, and Parcel 2 contains approximately 6.7 acres, as shown on Petitioner's Exhibit 2. Testimony indicated that all lots in the surrounding community are approximately 3.0 acres in size and that the proposed realignment would create two lots more in character with the locale. New Parcel 1 would contain approximately 3.671 acres, and new Parcel 2 would contain approximately 4.656 acres, as

shown on Petitioner's Exhibit 1. Testimony indicated that the Petitioners intend to construct a single family dwelling on each lot.

It should be noted that what the Petitioners are actually seeking is the approval of a lot line adjustment in lieu of a non-density transfer. After due consideration of the testimony and evidence presented, it appears that the relief requested should be granted. The proposed lot line adjustment will not result in any change in density and is therefore in keeping with the spirit and intent of the R.C. 2 zoning regulations. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of March, 1993 that a lot line adjustment of the subject property, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Special Hearing, as modified, is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The relief granted herein is limited to only the lot line adjustment of the subject property to create new Parcel 1 of 3.671 acres, more or less, and new Parcel 2 of 4.656 acres, more or less, in accordance with Petitioner's Exhibit 1. There shall be only one (1) density unit attributable to each parcel.
- 3) Within sixty (60) days of the date of this Order, Petitioners shall record in the Land Records of Baltimore County two new deeds incorporating the relief

granted herein and the conditions and restrictions of this Order so that any future purchaser(s) of the subject property will know that there is only one density unit associated with each parcel. A copy of each of the recorded deeds shall be submitted to the Zoning Administration Office for inclusion in the case file prior to the issuance of any building permits.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

March 15, 1993

(410) 887-4386

Bruce E. Kauffman, Esquire  
406 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
N/S Williams Road, 2140' NW of the c/l of Bottom Road  
(5720 and 5724 Williams Road)  
11th Election District - 6th Councilmanic District  
Howard J. Kline, et ux - Petitioners  
Case No. 93-261-SPH

Dear Mr. Kauffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING  
Date 3/15/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 3/15/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 3/15/93  
By [Signature]

## Petition for Special Hearing

93-261-SPH  
to the Zoning Commissioner of Baltimore County  
for the property located at 5720 & 5724 Williams Road  
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non density transfer within an RC-2 zone for the property herein described. The testimony to support the request will be developed at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):  
Howard J. Kline  
Joan R. Kline  
Address: 12929 Long Green Pike, Hydes, MD 21082  
City: Hydes, MD 21082  
State: MD  
Zipcode: 21082

Attorney for Petitioner:  
Jeffrey L. Forman/Bruce E. Kauffman  
Address: 406 W. Pennsylvania Avenue, Towson, Maryland 21204  
City: Towson, Maryland 21204  
State: MD  
Zipcode: 21204

## ZONING DESCRIPTION FOR 5720 & 5724 Williams Road

93-261-SPH

Beginning at a point on the north side Williams Road which is fifty feet wide at the distance of 2,140 feet northwest of the centerline of the nearest improved intersecting street Bottom Road which is fifty feet wide. As recorded in Deed Liber 9401, Folio 670 the following courses and distances: N. 60°35'43" W. 62.92 ft., N 65°06'21" W. 230.37 ft., N. 45°35'58" W. 103.67 ft., N. 26°05'39" W. 276.49 ft., N. 40°53'57" W. 11.56 ft., N. 39°53'57" E. 519.90 ft., S. 50°41'13" E. 572.34 ft., and S. 24°19'14" W. 592.71 ft. to the place of beginning.

#269

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District A  
Posted for: Special Hearing  
Petitioner: Howard J. Kline  
Location of property: N/S Williams Rd, 2140' NW of Bottom Rd  
Location of Sign: 5720 & 5724 Williams Rd  
Remarks:  
Posted by: [Signature]  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD. 2/18, 1993  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/18, 1993

THE JEFFERSONIAN,  
S. Zake Olson  
Publisher

60.27

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

93-261-SPH

Date  
Number  
PUBLIC HEARING FEES  
DATE OF PUBLIC HEARING  
DATE OF PUBLIC HEARING  
Please Make Checks Payable To: Baltimore County

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

RECEIVED  
MAR 16 1993  
ZONING COMMISSIONER



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 2-19-93

Howard J. Kline and Joan R. Kline  
12923 Long Green Pike  
Hydes, Maryland 21082

RE: CASE NUMBER: 93-261-SPH (Item 269)  
8/5 Williams Road, 21401 +/- NW of c/l Bottom Road  
5720 and 5724 Williams Road  
11th Election District - 6th Councilmanic  
Petitioner(s): Howard J. Kline and Joan R. Kline  
HEARING: TUESDAY, MARCH 9, 1993 at 10:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 60.27 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON  
DIRECTOR

cc: Jeffrey L. Forman and Bruce E. Kauffman



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

FEBRUARY 10, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-261-SPH (Item 269)  
8/5 Williams Road, 21401 +/- NW of c/l Bottom Road  
5720 and 5724 Williams Road  
11th Election District - 6th Councilmanic  
Petitioner(s): Howard J. Kline and Joan R. Kline  
HEARING: TUESDAY, MARCH 9, 1993 at 10:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a non-density transfer.

ARNOLD JABLON  
DIRECTOR

cc: Howard J. Kline and Joan R. Kline  
Jeffrey L. Forman and Bruce E. Kauffman

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

March 3, 1993

Bruce E. Kauffman, Esquire  
Kauffman and Forman, P.A.  
406 W. Pennsylvania Avenue  
Towson, MD 21204

RE: Case No. 93-261-SPH, Item No. 269  
Petitioner: Howard J. Kline, et ux  
Petition for Special Hearing

Dear Mr. Kauffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on February 2, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: 4 269 (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: February 22, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition:  
Item No. 269

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long  
Division Chief: Barry L. Kern

PK/JL:lw

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: Feb. 18, 1993

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb. 16, 1993

There are no comments on item numbers 265, 266, 269, 270, 271, 272, 273, 274, 277 and 278.

Rahee J. Famili  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

FEBRUARY 19, 1993

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: HOWARD J. KLINE AND JOAN R. KLINE  
Location: #5720-24 WILLIAMS ROAD  
Item No.: 269 (JCM) Zoning Agenda: FEBRUARY 16, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Carl J. J. J.  
Planning Group  
Special Inspection Division

JF/KEK

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: March 1, 1993

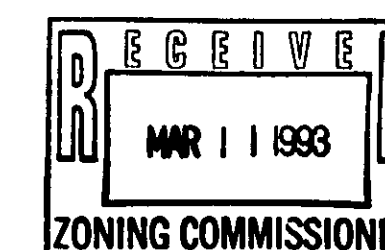
FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #269  
Kline (Howard), 5720 and 5724 Williams Road  
Zoning Advisory Committee Meeting of March 16, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:rmp  
Attachment  
KLINE/GWRMP







☒ Special Hearing

OWNER: Howard J. & Joan R. Kline

"BURTON"  
SECTION ONE  
3/12/28  
(1)  
GERALD E. SMARY, D. T. GALL  
5/17/54  
17-00-007000  
519.81

"BURTON"  
SECTION ONE  
38/128  
(2)  
DANIEL W. & JOANNE M. MARCH  
174/369  
17-00-00700  
372

PARCEL #1  
3.671 AC. ±  
159,909 SQ. FT.

22-00-0067Q1

PARCEL #2  
4.656 Ac. ±  
202,815 Sq. Ft. ±  
22-00-00670

NOTE: BUILDINGS PREVIOUSLY EXISTING ON PARCEL #1 HAVE BEEN RAZED. THERE ARE NO BUILDINGS WITHIN 200 FEET OF THE PROPERTY LINES.

WILLIAMS

- FOREST  
BUFFER

- EASEMENT

FOARD BROTHERS, INC. 5722/433  
17-00-010126

ROAD (FUTURE 60' R/W)

POINT OF BEGINNING

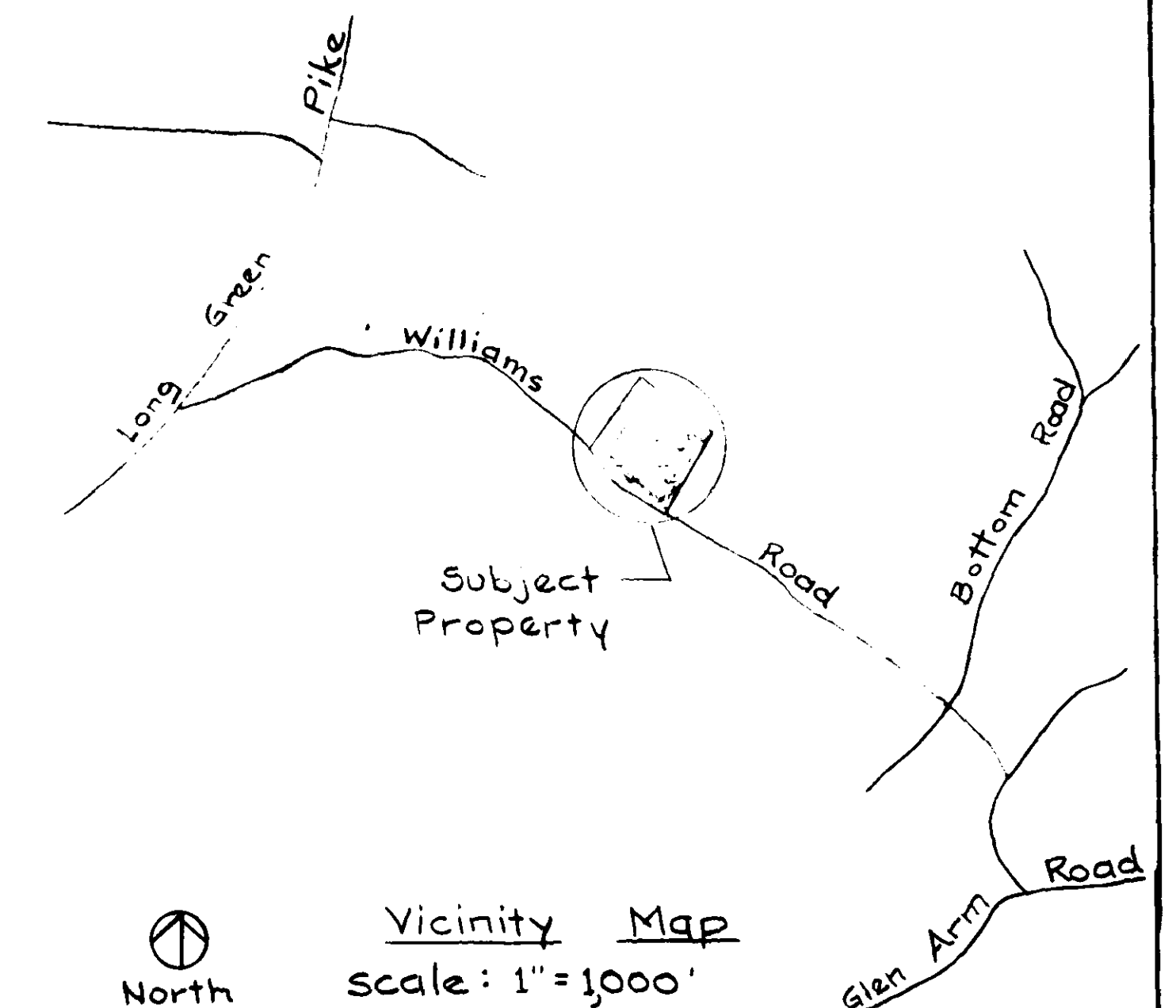


North

prepared by: L.E. Lipin

Scale of Drawing :  $1" = 50'$

93-261-SRH



Councilmanic District : 6  
Election District : 11  
1"=200' scale map#: NE G 16  
Zoning : RC 2

Lot size:  $\frac{8.327}{\text{acreage}}$   $\frac{362,724}{\text{square feet}}$

Chesapeake Bay Critical Area:

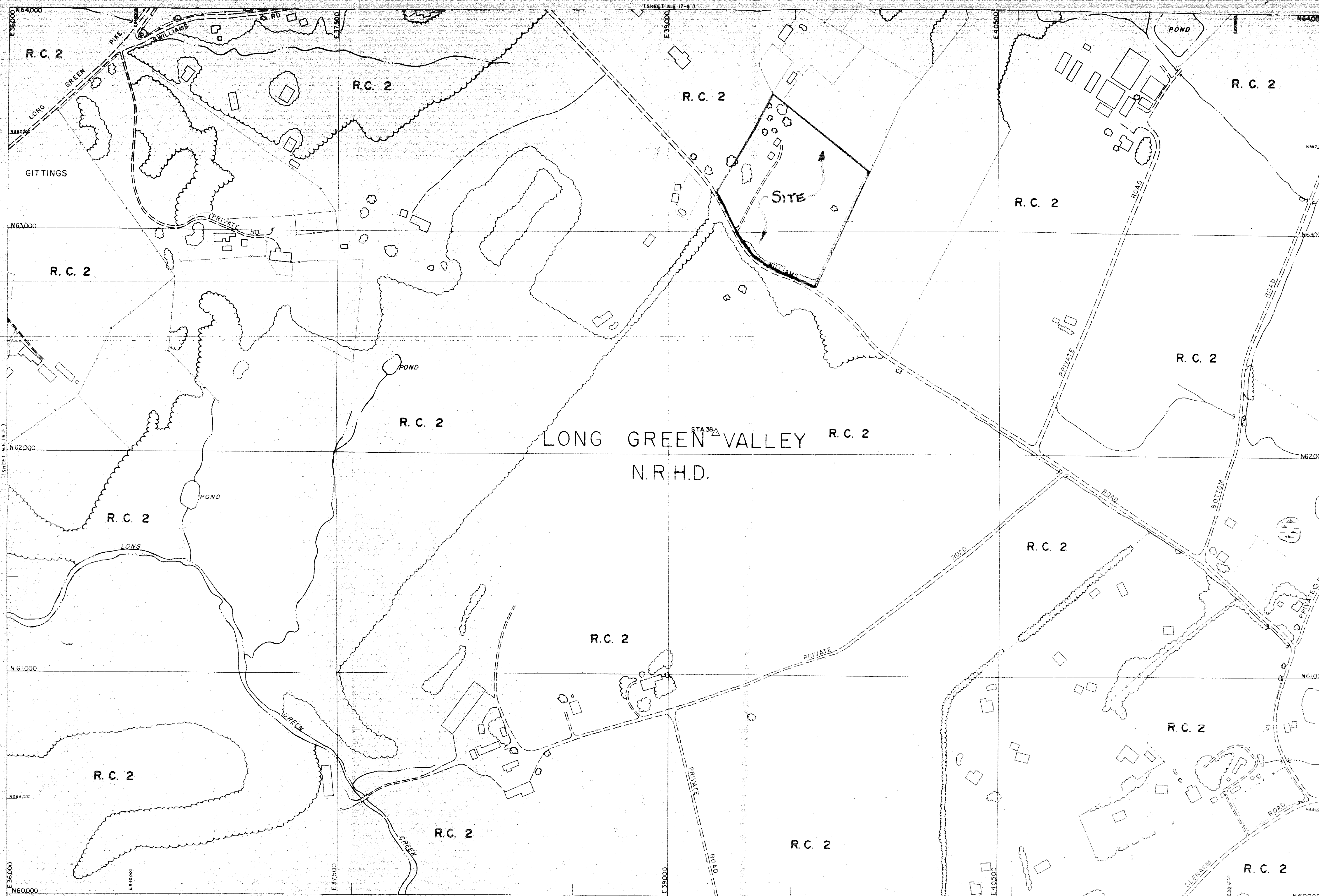
	public	private
SEWER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Prior Zoning Hearings: None.

Ret Ex #1

Zoning Office		USE ONLY
Reviewed By:	ITEM #	CASE #
JCM	269	





UU-SW  
Q-NW

~~1988 COMPREHENSIVE ZONING MAP~~  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88  
*William A. Howard*  
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART HORN, INC. BALTIMORE, MD. 21210

**BALTIMORE COUNTY**  
**OFFICE OF PLANNING AND ZONING**  
**OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992  
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

*William A. Howard*  
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	KLINE PROPERTY	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	NORTH OF HARTLEY	16-G
	JAN, 1993	

FOR SPECIAL HEARING

#269

93-261-SPA





BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	KLINE PROPERTY	N.E. 16-6
DATE OF PHOTOGRAPHY JANUARY 1986	NORTH OF HARTLEY JAN, 1993	#269
FOR SPECIAL HEARING		

93-261-58A